

**OPINION
46-92**

January 18, 1946 (OPINION)

ELECTORS

RE: Registration - Not Required for Special Election

Your letter of January 16 addressed to the Attorney General has been received and contents noted.

You inquire whether or not it will be necessary for voters to regular for the special election to be held in June, 1946.

Section 16-0201 of the North Dakota Revised Code of 1943 provides that all cities and villages containing fifteen hundred or more inhabitants according to the last state or federal census are required to register the voters.

Section 16-0202 provides that the board of registration shall meet at nine o'clock a.m. on Tuesday two weeks preceding any general or city or village election.

Section 16-0426 provides that no registration shall be required for primary elections.

There is no provision for registration for a special election, such as the senatorial election to be held in June, 1946. However, as already pointed out, no registration is required except in cities and villages containing fifteen hundred or more inhabitants. Elections in cities and villages are held biennially in the month of April in each even numbered year. Therefore, there will be an election in cities and villages in the year 1946, and since a registration of voters must be had two weeks before the election, such registration would suffice; and since the time between city or village elections said the primary election in June is only slightly over two months, it would seem that there is no necessity for registration, even if required, before the special election to be held on the date of the primary election.

It is our opinion, however, that it is not necessary for voters to register for the special senatorial election to be held in June, 1946.

NELS G. JOHNSON

Attorney General